



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107TH Street
Milwaukee, Wisconsin 53224-1121
TDD #: (608) 264-8777

Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 49

Comm #: 53214-1632-13-A

BRRTS #: 03-41-000524

Site Name: O'Connor Petroleum, Inc.

Site Address: 613 S. 70th St., Milwaukee, 53214

Site Manager: Eric Amadi

Address: 2300 N. Dr. Martin Luther King Jr. Dr.

City, State Zip: Milwaukee, WI 53212-3128

Phone: (414) 263-8639

e-mail: eric.amadi@wisconsin.gov

Bid Manager: Stephen D. Mueller

Address: 9316 N. 107th St.

City, State Zip: Milwaukee, Wisconsin 53224-1121

Phone: (414) 357-4704

e-mail: Stephen.Mueller@Wisconsin.Gov

Bid-Start Date:	May 28, 2007
Questions must be received by (See Section 2 (B)):	June 11, 2007 4:00 PM
Responses will be posted by (See Section 2 (B)):	June 29, 2007
Bid-End Date and Time:	July 13, 2007 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Milwaukee, 757 N Broadway, Ste 200, Milwaukee, WI 53202
Phone: (414) 276-2679 Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

General Comments

The property has been a service station since the 1920's and has undergone several upgrades and reconstruction. A release was reported to the DNR on January 25, 1990. Site investigation activities (26 direct-push soil borings and 4 shallow monitoring wells) were conducted through the fall of 1995.

Prior to the on-set of remedial excavation activities in September 1995, one 4,000-gallon kerosene, one 10,000-gallon diesel fuel, and four 4,000- to 15,000-gallon gasoline underground storage tanks (USTs) were removed from the site. During remedial excavation, five additional USTs (one 2,000-gal. fuel oil, one 1,000-gal. waste oil, and three 1,000- to 2,000-gal. leaded gasoline) were discovered and removed.

During excavation activities in October 1995, a sand lens was reportedly encountered at the northern part of the property at an approximate depth of 24 feet. The sand lens was observed to contain petroleum "free-product", or light non-aqueous phase liquid (LNAPL). Laboratory analysis indicated that the LNAPL was a high octane gasoline formerly sold at the station as racing fuel. The site is located near the State Fair Park race track.

In total, 11,453 tons of petroleum impacted soils were excavated and transported to a landfill during remedial excavation of the site. Following excavation, approximately 1,200 gallons of free product was removed using an eight-inch diameter sump and skimmer (near MW-7 and MW-2) and absorbent socks in selected monitoring wells (existing MW-1 and MW-2) from July 1996 to date. Currently, about 4-6 inches of LNAPL continues to collect in MW-2; MW-1 appears to have been destroyed or "lost" during recent landscaping of the site.

From February 1996 through January 2003, ten monitoring wells and four piezometers were installed to determine the degree and lateral extent of soil and groundwater contamination on and surrounding the source property and to evaluate vertical migration of the groundwater plume. The piezometers were screened within competent dolomite bedrock, encountered below approximately 40 feet bgs. (The four original monitoring wells were removed during the remedial excavation.)

From August 2005 to May 2006, three well nests (ten wells total) were installed to the east, southeast and south of the source property to evaluate the horizontal and vertical degree and extent of the shallow groundwater plume in unconsolidated sediments and the deeper bedrock plume. The wells were installed as part of a scope of work publicly bid in round #34 (October 2004).

Based on site soil borings and monitoring wells installed to date, subsurface soils generally consist of silty clay to clayey silt to about 25-40 feet below ground surface (bgs), underlain by 6-10 feet of sandy silt to silty sand to about 40-50 feet bgs or bedrock where shallower. On the property immediately south of the station, alternating 2- to 5-foot thick layers of clay-silt and silt-sand occur from about 49 feet bgs to bedrock at 69 feet bgs.

Several feet of weathered dolomite bedrock overlies competent bedrock. Depth to bedrock ranges from about 40 feet bgs near Main Street on the north side of the

source property and increases to 60-70 feet bgs to the south and southeast of the property.

Early in the project, before the site was excavated, shallow groundwater depth ranged from about 5.5 feet to 7.5 feet bgs across the southern two-thirds the property to about 20 feet bgs near the northern edge of the property, with an apparent flow direction toward the northwest. Currently, depth to groundwater within the deeper unconsolidated (sand/silt) and bedrock units ranges from 24 feet to 34 feet bgs. Groundwater flow within the upper bedrock appears to be toward the southeast, and the groundwater contaminant plume within bedrock has migrated off the source property southward and eastward.

Minimum Remedial Requirements

General Summary of Scope of Work: Task 1 – installation of two piezometers into bedrock and one geotechnical soil boring, Task 2 – LNAPL sampling and analysis, Task 3 – groundwater sampling and analysis, Task 4 – drilling and sampling waste disposal, and Task 5 – data evaluation and reporting.

To save costs, only portions of the case file are available from the copy service. The entire case file should be reviewed at the WDNR office at 2300 N. Dr. Martin Luther King Jr. Drive, Milwaukee.

1. Soil Sampling and Well Installation

Drill and sample three (3) soil borings to characterize soil grain-size and composition in the residual LNAPL area (north side) of the source property and to further define the off-property extent and degree of the groundwater contaminant plume in bedrock (**see figures 1 & 2**). The soil borings must be continuously sampled to bedrock and field-screened for volatile contamination.

The soil borings/piezometers will be located as follows:

- **SB-100** will be drilled to bedrock (~40 ft bgs) between existing MW-2 and MW-7.
- **PZ-9** will be installed to the east of S. 70th St. and due east-southeast of the existing MW-12/12A/PZ-6 nest.
- **PZ-10** will be installed to the east of S. 70th St. and southeast of the existing MW-13/13A/PZ-7 nest.

At PZ-9 and PZ-10, install a bedrock piezometer (5-foot screen) constructed and developed in accordance with NR 141, Wis. Adm. Code, and complete a boring log and well construction/ development form. For the purpose of bidding, assume the piezometer borings will extend to 70 feet bgs (60 feet of unconsolidated drilling, 10 feet of bedrock drilling).

At SB-100, collect two soil samples for quantitative sieve testing to determine soil type and grain-size distribution near the downgradient edge of the LNAPL zone. The depth zone of interest is approximately 25-35 feet bgs, based on the historic depth to groundwater at that location. The soil samples should be collected from the predominant soil types encountered, in which the LNAPL would most likely be entrapped. Utilize grain-size analytical methods appropriate to the observed soil conditions. Simple sieve analysis may not be adequate if a significant proportion of the soil is clay or silt.

The soil borings (PZ-9 and PZ-10) must be continuously sampled from the surface downward, field-screened for volatile contamination and the lithology recorded. Collect one sample from each boring from the zone of highest obvious contamination and one sample from the end of the boring to document that the vertical extent has been delineated. If no contamination is evident, collect only one sample from the soil or weathered bedrock at the bottom of the boring. Analyze the soil samples for gasoline range organics (GROs), diesel range organics (DROs), petroleum volatile organic compounds (PVOCs), polynuclear aromatic hydrocarbons (PAHs) and lead.

The new wells' ground surface and measuring point elevations must be surveyed relative to USGS datum and accurately located relative to the existing site monitoring wells. Prepare a site layout map including all new and existing monitoring wells/piezometers, structures, roads, etc.

2. LNAPL Sampling

MW-2 has contained up to 3.5 feet of petroleum light non-aqueous phase liquid (LNAPL) during the project history. The LNAPL is believed to be weathered racing fuel.

To characterize the LNAPL, collect a sample(s) for the following fluid property analyses:

- **Density** (g/cm³, at formation temperature) using ASTM Method D1481,
- **Viscosity** (cp, at formation temperature) using ASTM Method D445, and
- **Interfacial tensions** (dyne/cm) using ASTM Method D971 for the three fluid pairs – air/water, air/LNAPL, and LNAPL/water.

Make sure that the quantitative units are reported as indicated above.

Laboratory availability may be limited. LNAPL samples submitted for these analyses may require cleaning. Additional shipping and sample preparation and disposal costs may apply, and should be discussed with the laboratory. The costs must be included in the bid.

For additional information on LNAPL characterization analytical methods, including appropriate alternate methods, you may wish to review American Petroleum Institute (API) Publication 4711.

3. Groundwater Monitoring

Conduct two (2) quarterly rounds of groundwater monitoring as follows:

Well	1st round	2nd round
New piezometers (2 wells) (PZ-9 and PZ-10)	Yes	Yes
Existing monitoring wells and piezometers (20 wells) (MW-2, 4, 6, 7, 8, 9, 11, 11A, 12, 12A, 13, 13A, and PZ-1 through PZ-8)	Yes	Yes

Groundwater analyses for the new piezometers (PZ-9 and PZ-10) should include volatile organic compounds (VOCs), PAHs and lead during the first round. For the existing monitoring wells and piezometers, the first round of groundwater analyses

should include PVOCs, PAHs, lead and any other compounds previously detected. In the second round at the new piezometers, and for the existing wells and piezometers, analyze for PVOCs, PAHs, lead and any other compounds previously detected.

To sample wells with LNAPL, purge the LNAPL, then the groundwater, and then collect the groundwater sample. No obvious LNAPL should be included in the sample. The purpose of sampling the LNAPL wells is to qualitatively evaluate the degree of dissolution of petroleum constituents into groundwater.

Groundwater elevations must be measured in each well at the site, whether the well is sampled or not, and a groundwater flow map generated for each water table/potentiometric zone for each sampling event. If a monitoring well contains measurable free-product, record both the product and groundwater levels in the well.

4. Waste Disposal

Properly dispose of all wastes generated from all activities conducted under this bid scope, and provide all waste disposal documentation. For bidding purposes, provide a per drum or per cubic yard/ton cost for each waste type (soil, drilling fluid, purge water) on Page 2 table of this bid specification. If necessary, the bid cap will be adjusted based on actual drums of waste disposed.

5. Data Evaluation and Reporting

Prepare and submit a report describing and documenting the additional work completed at the site. The report will include, but is not to be limited to, groundwater flow maps; geologic cross-section(s) depicting the stratigraphy and contamination distribution at the site, based on the new soil boring/monitoring well data; isoconcentration maps of residual soil and groundwater contamination; updated tables of analytical and groundwater/LNAPL elevation data; groundwater contaminant concentration trend analysis; lab reports; waste disposal documentation; and all appropriate and required forms.

Complete PECFA on-line reporting as appropriate.

The report must be submitted to the WDNR (copy to Commerce) no later than three (3) months after completion of the bid scope of work.

Regarding the 2nd Page of the Bid Response:

If necessary, subsequent cost caps may be determined using page 2 following the successful completion of the activities under the initial cost cap. Approval shall be obtained through a request to Commerce (the DNR Project Manager shall be copied) for a change order. The request shall include total costs incurred to date under the existing cap. The subsequent cost cap amount may be adjusted up (or down) based on the outcome of the specified work activities.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: O'Connor Petroleum Inc

COMMERCE #: 53214-1632-13

BRRTS #: 03-41-000524

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: O'Connor Petroleum Inc

COMMERCE #: 53214-1632-13

BRRTS #: 03-41-000524

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1a	Soil Sampling (drilling & grain-size analysis)	\$	
1b	Well Installation (2 piezometers)	\$	
2	LNAPL Sampling	\$	
3	Groundwater Monitoring	\$	
4a	Waste Disposal – soil (assume 2 cubic yards)	\$	
4b	Waste Disposal – drilling fluids (assume 3 drums)	\$	
4c	Waste Disposal – purge water (assume 4 drums)	\$	
5	Data Evaluation and Reporting	\$	
	PECFA Claim Preparation	\$	
	Total Bid Amount	\$	